

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CHARLOTTE BENNETT,

Plaintiff,

v.

ANDREW M. CUOMO, MELISSA
DEROSA, JILL DEROSIERS, and JUDITH
MOGUL,

Defendants.

Civil No. 1:22-cv-07846

**NOTICE OF DEFENDANT MELISSA DEROSA'S MOTION PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6) TO DISMISS COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Declaration of Gregory Morvillo and exhibit thereto, and all other filings of record, defendant Melissa DeRosa, through her attorneys, Morvillo PLLC, will move before the Hon. Vernon S. Broderick, U.S.D.J., located at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York, 10007, on a date and time to be determined by the Court, for an Order dismissing, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief can be granted, the Fifth and Ninth Causes of Action of the Complaint filed by plaintiff Charlotte Bennett.

Dated: November 18, 2022

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cc: All Counsel of Record (via ECF)